

Melissa A. Fortunato (SBN 319767)
fortunato@bespc.com
Marion C. Passmore (SBN 228474)
passmore@bespc.com
BRAGAR EAGEL & SQUIRE, P.C.
445 S. Figueroa Street, Suite 3100
Los Angeles, CA 90071
Telephone: (213) 612-7735
Facsimile: (212) 214-0506

Attorneys for Plaintiff

[Additional Counsel on Signature Page]

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

HUGUES GERVAT, derivatively on
behalf of THE WALT DISNEY
COMPANY,

Plaintiff,

v.

ROBERT CHAPEK, CHRISTINE M.
MCCARTHY, KAREEM DANIEL,
SUSAN E. ARNOLD, MARY T.
BARRA, SAFRA A. CATZ, AMY L.
CHANG, FRANCIS A. DESOUZA,
MICHAEL B.G. FROMAN, ROBERT
A. IGER, MARIA ELENA
LAGOMASINO, CALVIN R.
MCDONALD, MARK G. PARKER, and
DERICA W. RICE,

Defendants,

and

THE WALT DISNEY COMPANY,

Nominal Defendant.

Case No.: 2:23-cv-06389-CBM-ASx

**ORDER GRANTING JOINT
STIPULATION TO
CONSOLIDATE RELATED
SHAREHOLDER DERIVATIVE
ACTIONS, APPOINT CO-LEAD
COUNSEL FOR PLAINTIFFS,
AND APPLY THE EXISTING
STAY TO THE CONSOLIDATED
ACTION [27]**

**ORDER GRANTING THE JOINT STIPULATION TO CONSOLIDATE RELATED
SHAREHOLDER DERIVATIVE ACTIONS, APPOINT CO-LEAD COUNSEL FOR
PLAINTIFFS, AND APPLY THE EXISTING STAY TO THE CONSOLIDATED ACTION**

AUDREY McADAMS, derivatively on
behalf of THE WALT DISNEY
COMPANY,

Plaintiff,

v.

SUSAN E. ARNOLD, MARY T.
BARRA, SAFRA A. CATZ, AMY L.
CHANG, ROBERT A. CHAPEK,
KAREEM DANIEL, FRANCIS A.
DESOUZA, MICHAEL B.G. FROMAN,
ROBERT A. IGER, MARIA ELENA
LAGOMASINO, CHRISTINE M.
MCCARTHY, CALVIN R.
MCDONALD, MARK G. PARKER, and
DERICA W. RICE,

Defendants,

and

THE WALT DISNEY COMPANY,

Nominal Defendant.

Case No.: 2:23-cv-10542-CBM-AS

On April 29, 2024, the Parties filed a Joint Stipulation to Consolidate Related Shareholder Derivative Actions, Appoint Co-Lead Counsel For Plaintiffs, and Apply the Existing Stay to the Consolidated Action (the “Stipulation”) requesting that the Court consolidate the above-captioned shareholder derivative actions (the “Derivative Actions”), appoint co-lead counsel for plaintiffs, and apply the existing stay in *Gervat v. Arnold, et al.*, 2:23-cv-06389-CBM-AS (ECF No. 23) (the “Stay Order”) to the consolidated action.

The Court, having considered the Parties’ Stipulation and finding good cause therefor, hereby GRANTS the Stipulation and ORDERS as follows:

1. The stay orders entered in each of the Derivative Actions are temporarily lifted for the limited purpose of the filing of, and this Court’s ruling on, the Stipulation and [Proposed] Order.

2. The Derivative Actions are hereby consolidated for all purposes, including pre-trial proceedings and trial, into the Consolidated Derivative Action.

3. Every pleading filed in the Consolidated Derivative Action, or in any separate action later consolidated with this action, shall bear the following caption:

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

IN RE THE WALT DISNEY
COMPANY STOCKHOLDER
DERIVATIVE LITIGATION,

Lead Case No.: **2:23-cv-06389-CBM-ASx**

This Document Relates To:

ALL ACTIONS.

4. The files of the Consolidated Derivative Action shall be maintained in one file under Master File No. 2:23-cv-06389-CBM-ASx. All documents previously

1 filed and/or served in the Derivative Actions shall be deemed a part of the record in
2 the Consolidated Derivative Action.

3 5. This Order shall apply to each related purported shareholder derivative
4 action involving the same or substantially similar allegations, claims, and defendants,
5 and arising out of the same or substantially similar transactions or events as the
6 Consolidated Derivative Action, that is subsequently filed in, removed to, reassigned
7 to, or transferred to this Court (“Potential Subsequent Related Derivative Actions”).
8 When a case which properly belongs as part of *In re The Walt Disney Company*
9 *Stockholder Derivative Litigation*, Lead Case No. 2:23-cv-06389-CBM-ASx, is
10 hereafter filed in, removed to, reassigned to, or transferred to this Court, counsel for
11 the Parties shall call such filing, removal, reassignment, or transfer to the attention of
12 the Clerk of the Court for purposes of moving the Court for an order consolidating
13 such case(s) with *In re The Walt Disney Company Stockholder Derivative Litigation*,
14 Lead Case No. 2:23-cv-06389-CBM-ASx. Unless otherwise ordered, the terms of all
15 orders, rulings, and decisions in the Consolidated Derivative Action shall apply to
16 Potential Subsequent Related Derivative Actions filed in this Court, removed to this
17 Court, reassigned to this Court, or transferred to this Court from another court, and all
18 Potential Subsequent Related Derivative Actions filed in this Court, removed to this
19 Court, reassigned to this Court, or transferred to this Court shall be consolidated into
20 the Consolidated Derivative Action.

21 6. Co-Lead Counsel for Plaintiffs for the conduct of the Consolidated
22 Derivative Action shall be:

THE BROWN LAW FIRM, P.C.

Timothy Brown (*pro hac vice*)
767 Third Avenue, Suite 2501
New York, NY 10017
Telephone: (516) 922-5427
Facsimile: (516) 344-6204
tbrown@thebrownlawfirm.net

BRAGAR EAGEL & SQUIRE, P.C.

Melissa A. Fortunato (SBN 319767)
Marion C. Passmore (SBN 228474)
445 S. Figueroa Street, Suite 3100
Los Angeles, CA 90071
Telephone: (213) 612-7735
Facsimile: (212) 214-0506
fortunato@bespc.com
passmore@bespc.com

7. Plaintiffs' Co-Lead Counsel shall have the sole authority to speak for Plaintiffs in the Consolidated Derivative Action in all matters regarding pre-trial procedure, trial, and settlement negotiations and shall make all work assignments in such manner as to facilitate the orderly and efficient prosecution of this litigation and to avoid duplicative or unproductive effort.

8. Co-Lead Counsel shall be responsible for coordinating all activities and appearances on behalf of Plaintiffs in the Consolidated Derivative Action. No motion, request for discovery, or other pre-trial or trial proceedings will be initiated or filed by any plaintiffs except through Co-Lead Counsel.

9. Defendants' counsel may rely upon all agreements made with counsel of record from either Co-Lead Counsel, or other duly authorized representative of Co-Lead Counsel, and such agreements shall be binding on all plaintiffs.

